IN THE UNITED STATES DISTRICT COURT Case 3:13-cv-04484-M-BN Document 12 Filed 04/15/14 Page 1 of 1 PageID 116 NORTHERN DISTRICT OF TEXAS DALLAS DIVISION

PATRICK MICHAEL O'LEARY,	§	
	§	
Plaintiff,	§	
	§	
V.	§	No. 3:13-cv-4484-M-BN
	§	
JP MORGAN CHASE BANK N.A. and	§	
FEDERAL NATIONAL MORTGAGE	§	
ASSOCIATION,	§	
	§	
Defendants.	§	

ORDER ACCEPTING FINDINGS, CONCLUSIONS, AND RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE

After making an independent review of the pleadings, files, and records in this case, and the Findings, Conclusions, and Recommendation of the United States Magistrate Judge dated March 20, 2014, the Court finds that the Findings, Conclusions, and Recommendation of the Magistrate Judge are correct and they are accepted as the Findings, Conclusions, and Recommendation of the Court.

Defendants' motion to dismiss [Dkt. No. 4] is GRANTED with prejudice as to Plaintiff's claims of negligent misrepresentation and fraud in a real estate transaction.

Defendants' motion to dismiss is GRANTED without prejudice as to Plaintiff's claims for common-law fraud and injunctive relief.

Plaintiff may file an amended complaint as to those claims dismissed without prejudice within 21 days of the date of this Order. If Plaintiff fails to do so, the case will be dismissed with prejudice without further notice.

SO ORDERED this 15th day of April, 2014.

BARBARA M. G. LYNN

UNITED STATES DISTRICT JUDGE NORTHERN DISTRICT OF TEXAS

Johna W. Lynn